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WHOLE NUMBER 17,105. RICHMOND, VA., THURSDAY, FEBRUARY 15, 1906. PRICE TWO CENTS.

AMENDMENT WON'T PASS, SAYS GLASS

Representative Predicts
Defeat of St. Clair
Measure.

SURPRISE OVER ELKINS' FLOP

Senators' Views Regarding Rate
Question Said to Have Under-
gone a Sudden Change
When People Talked
of Dawson to Suc-
ceed Him.

(From Our Regular Correspondent.)
WASHINGTON, D. C., February 14.—Representative Carter Glass, of the Sixth Virginia District, returned to Washington to-day from his home in Lynchburg. He was in Richmond Saturday and Sunday, relative to the St. Clair amendment to the redistributing bill, which divides the counties of Craig, Bland, Giles, Pulaski and Wythe, from the Ninth District and adds them to the Sixth.
"I think the bill will not pass the House with the St. Clair amendment," said Mr. Glass. "That was the best information I could get on the subject and I relied upon it."
Mr. Glass, in discussing the bill, said he did not want to be regarded as occupying the inopportune position of being unwilling to welcome the people of the Ninth District counties as constituents, but that all or nearly all the members of the House from the Sixth District, were in opposition to the measure, and that he could not assume a position against his constituents who were in the Legislature. Mr. Glass said he had many very warm friends in the counties it was proposed to add to his District, whom he would delight to serve in Congress. He did not intimate that he was in favor of any such addition to his District.

Things Have Changed.

"It is a great deal easier to get battle-flags now than it was forty odd years ago," remarked Representative Lamb after the unanimous passage of the resolution to surrender many of them to the Confederate Memorial Literary Society at Richmond. Representative Lamb appeared before the committee on military affairs in behalf of the bill, and had no difficulty in securing a favorable report.

Representative Lamb said to-day, he did not believe there would be a vote in the Senate in opposition to the resolution. The attitude of Congress towards this subject of Confederate battle-flags, which had for so long remained in the custody of the War Department, illustrates as well as anything else, the great change that has come over the North and West in the past decade, as regards matters Southern and Confederate. When an attempt was made little more than a decade ago, to have President Cleveland return these battle-flags, the Southern States, and the G. A. R., that the President had to find an excuse for rescinding the order that the flags be given back to the States entitled to them. Senator Foraker said the flags should never be returned so long as his head was above ground, and other prominent Republicans made remarks of similar import. Now, Mr. Foraker is the patron of the bill to appropriate \$200,000, for the proper marking of the graves of Confederate soldiers, who died and were buried at Northern prisons, and voted last year for the return of the battle-flags captured from the Southern States. Mr. Lamb also voted for the resolution on providing for the return of the 288 of these flags, the identity of which could not be established when the colors were returned to the various States last year, under the resolution introduced by Representative Lamb.

The Committee on Ways and Means decided to-day to report a bill abolishing the tax of six cents on the sale of leaf tobacco. The effect of such a bill would be to allow anybody to sell tobacco leaf without taking out license for the purpose. The bill was introduced by John V. Gaines, of Tennessee, and has been fighting for this bill for years, and last year succeeded in getting a measure of this character through the House of Representatives, but it never got out of the Finance Committee of the Senate. Mr. Gaines thinks the passage of this bill will be of immediate advantage to the tobacco grower.

Fulwiler Isn't Hurt.

Colonel S. Brown Allen, who has just been re-appointed marshal of the Western District of Virginia, is here for the purpose of urging the confirmation of the nomination of R. A. Fulwiler to be postmaster of the city of Staunton. Colonel Allen says he does not think there will be any serious difficulty encountered in securing confirmation of the appointment. There will not be charges filed against Mr. Fulwiler. The meeting in Staunton to protest against the appointment of Fulwiler, Colonel Allen says, failed to develop anything against the character of the appointee. It is charged that the advocates of the retention of Major Yost in the office, controlled the meeting, and inspired it.
Hon. Harry St. George Tucker, President of the Staunton Exposition Company, left for Richmond today, to appear before the Finance Committee of both branches of the General Assembly, probably, in behalf of the bill to appropriate \$150,000 to the exposition, in addition to the \$200,000 appropriated by the State House. Tucker said that from all he could learn he did not believe there was serious doubt that the Legislature would make the appropriation.

Mr. Tucker is delighted with the prospect of securing an appropriation from Congress for the exposition. The House Committee on Industrial Arts and Expositions will take up the bill next week, probably on Monday.

Mr. Tucker and Mrs. Tucker, who are now established in their home at No. 118 E. Street, Northwest, will entertain the Secretary of War, the Secretary of the Treasury, the Secretary of the Navy, and the Postmaster-General at dinner.

(Continued on Second Page.)

SOCIETY SNUBBED MAYOR GILLETTE

Savannah Friends of
Carter Ostracised En-
gineer's Family.

QUOTES OSBORNE IN SUBSTANTIATION

Latter Makes Effort to With-
draw Remark Attributed to
Him: "For Brazen Ef-
frontery, Without
Parallel in His-
tory of Crime."

(By Associated Press.)
SAVANNAH, GA., February 14.—Major Cassius E. Gillette's testimony was concluded to-day and the Greene and Gaynor trial moved on to other witnesses, not, however, before the session had proved the most interesting and dramatic that has yet been held.
In the cross-examination of Major Gillette by Mr. Osborne, for the defense, a sensation was created when the witness plunged into a revelation of the difficulties he had encountered in Savannah because of the prosecution of Captain Oberlin M. Carter. He and his family, he intimated, had been received, but coldly, and there was a practical ostracism from that society in which Carter had long been a favorite.
The most dramatic feature of his evidence developed, however, when he quoted a conversation he had had with Mr. Osborne, the attorney cross-examining him, in which the latter had told him that the animosity developed against him because of his attitude toward Carter, for brazen effrontery, was without parallel in the history of crime.

Couldn't Alter Statement.

Mr. Osborne endeavored to shake the witness in his memory of this statement, but Major Gillette adhered to it, declaring that he had repeated it many times since, and that it was an observation so striking that it could not have slipped from his memory.
Mr. Osborne, he said, had come to him on three occasions with proffers of aid in the unfortunate position in which Major Gillette found himself involved while in the performance of his duty. Interest in Major Gillette's statements throughout was intense. After discussion, the court offered to rule out the testimony, but Mr. Osborne said he did not so desire. Since the matter had been presented to the jury, he wished to take the stand himself later, and under oath, make a statement regarding his conversation with Major Gillette.

Quit Cater's Quarters.

The indirect examination was then begun by District Attorney Erwin, who brought out the fact that Gillette had entertained the highest regard for Carter professionally. He had absolutely no bias or prejudice against Carter, and had accepted the latter's hospitality for a time after arriving here to relieve Carter, using the rooms of the latter until he began to discover evidence to show Carter's criminality in the administration of the affairs of his office. "Thereupon," said Major Gillette, "I moved out. I could not continue to accept the hospitality of one against whom I was formulating charges."
Prior to this incident Major Gillette had been examined as to certain contacts, the line of questioning by the defense apparently being designed to indicate an analogy between Gillette's methods and those alleged to have been followed by Carter.

After hearing two other witnesses on minor points, the court adjourned.

DAILY EVENING GEORGIAN: GRAVES AND SEELY PROP'S

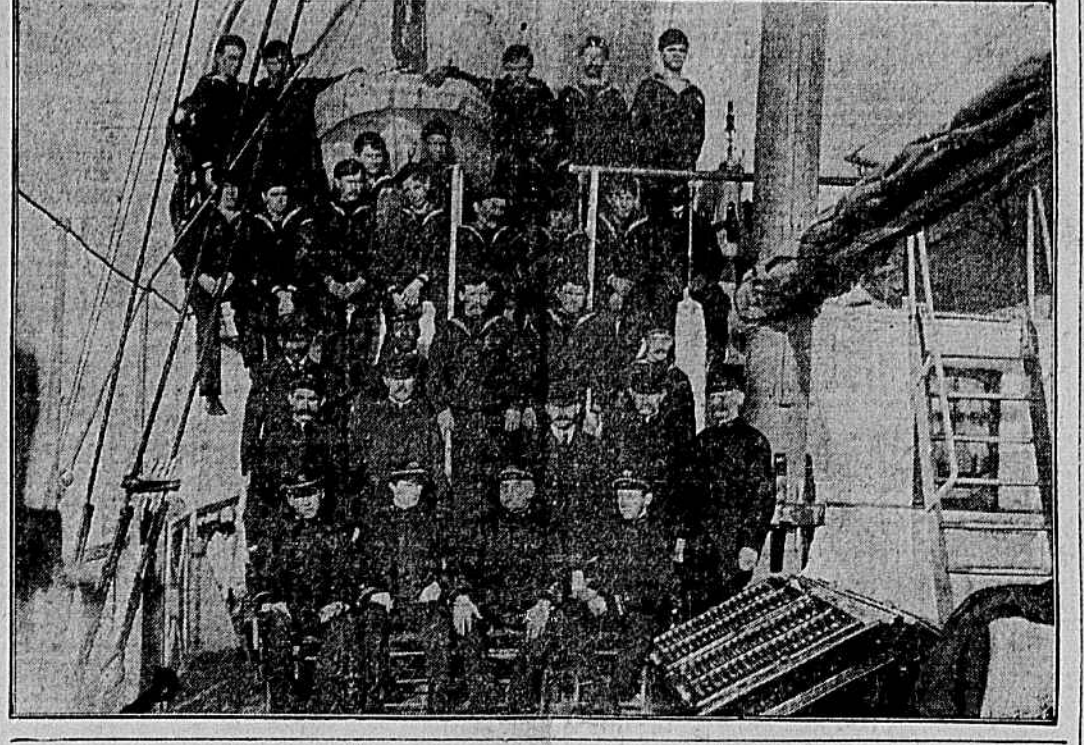
(By Associated Press.)
ATLANTA, GA., February 14.—John Temple Graves, whose resignation as editor of the News was made known yesterday, to-day announced that he will soon re-enter the newspaper field by starting the Daily Evening Georgian, in which he will be associated with Frederick L. Seely.

CASSATT HAD NEVER HEARD OF COAL LEAGUE

In Interview He Denies Personal
or Pennsy's Interest in Any
Bituminous Coal Mines.

(By Associated Press.)
PHILADELPHIA, PA., February 14.—President A. J. Cassatt, of the Pennsylvania Railroad Company, said to-day that he had never heard of the bituminous coal trade league of Pennsylvania, which body presented a memorial to the House of Representatives at Washington on Tuesday. He said that it hardly seemed worth while to reply to the charges made in the memorial since the complainants stated that they had no information upon which to base a suit at law or even a complaint before the Interstate Commerce Commission.
Mr. Cassatt said, first, that neither the Pennsylvania Railroad Company, nor himself, individually, own or have any interest in any bituminous coal mines; second, there is no discrimination either in rules or in the car distribution or in the use of any other facilities of the railroad between miners and shippers over the Pennsylvania Railroad lines; third, there is no soft coal trust as charged, and the charges in the memorial are absolutely unfounded or intentionally misleading.

OFFICERS AND CREW OF THE WINDOM, ON WHICH MARSHAL TREAT MADE TOUR



J.D. ROCKEFELLER RACES REPORTER

Oil King Wins Foot Race That
Ended at Door of Lake-
wood Residence.

NEWSPAPER MAN WAS IN TREE

Sentry Spotted the Scout and
Shouted Warning to Rocke-
feller Who Ran Home.

DIALOGUE OF COURT AND THE DETECTIVE

(By Associated Press.)
NEW YORK, February 14.—The inquiry in the case of the State of Missouri against the Standard Oil Company, which was resumed this evening, was again adjourned until to-morrow afternoon, after two questions were asked of a process server, and answers, as follows:
"Have you made any effort to serve John D. Rockefeller?"
"I have."
"Have you succeeded?"
"No."

(Special to The Times-Dispatch.)

LAKEWOOD, N. J., February 14.—John D. Rockefeller is stowed away on his 500-acre country place here, or else he has a double, who is taking all kinds of things there. A reporter went on a scouting expedition to-day, and from the crotch of a tall pine tree, overlooking the Rockefeller stronghold, he reconnoitered.
At first the only living object in sight was a fat fannine goat. Presently another animated object loomed in sight from over a ridge to the southward of the house and on the Rockefeller private golf links. Convinced that it was the missing Rockefeller, the reporter slid down the tree, crept past the picket line on the run toward Rockefeller. A moment later the picket discovered the scout, and with a yell of warning to the hunted man, he started in hot pursuit. Rockefeller, the moment he heard the picket yell, struck the home trail at his best gait. Rockefeller got to the house and inside it a winner in the chase by the length of a city block.
Mrs. Rockefeller said: "Mr. Rockefeller does not want to see anybody from any newspaper. Besides, he's not here."

FRESHMEN BARRED FROM U. OF P. ATHLETICS

(By Associated Press.)
PHILADELPHIA, PA., February 14.—The committee on athletics of the University of Pennsylvania to-day abolished its old athletic eligibility code and adopted a short and simple one, the main provision of which is a rule forbidding freshmen of any department to compete in athletics until they have completed one academic year of work in a satisfactory manner.

FIREMAN'S PRESENCE OF MIND SAVED TRAIN

Extricates Himself From Burn-
ing Mass and Signals Fast
Express.

(Special to The Times-Dispatch.)
CUMBERLAND, MD., February 14.—The presence of mind of Andrew Moreland, a fireman of Cumberland, saved the Baltimore and Ohio express, No. 3, from disaster this morning at Sleepy Creek, sixty miles east of here. Engineer Howard S. Hunt went to sleep as the result of overwork. It is claimed, and his train ran off the derailing switch. Hunt was killed and cars were piled over both tracks. Moreland was fastened in the burning debris, but he was freed, the clothing burning from his back. He snatched a lighted torch and ran about, heaving the express just in time to save an awful collision. Moreland is badly burned about the body. Hunt was horribly mutilated. The remains will be sent to his old home at Staunton, Va., to-morrow.

HIS HARD STORY OF ILL TREATMENT

Thomas Cunningham, Shanghai-
Oysterman, Alleges Cruel
Treatment.

DEPLETING THE OYSTER BEDS

Marshal Treat's Investigations
Shows Depredations By Men
of Both States.

CLOWES MATTER IN SENATE TO-DAY

Fulton Resolution Calling for Re-
moval of Bond of Secrecy
Over Hearings.

A SHARP FIGHT PROBABLE

Whether or not the mystery shrouding the Clowes investigation shall be dispelled once and for all and the further hearings conducted in the open, where the public, clamoring for hard facts and obtaining nothing but wild rumors, may at last both see and hear, will be determined to-day in the Senate by action of some sort upon a resolution offered yesterday calling for a removal of the ban of secrecy.

From what could be gathered last night it will be proposed to consider the resolution itself in executive session of the Senate on the ground that it refers to what occurred in a previous executive session, and should not, therefore, be taken in open meeting. Such a proposition will prove distasteful to certain Senators, and may meet with vigorous opposition on the floor.

Tells Pitiful Story.

Cunningham's story is a pitiful one. He says that on Saturday night, a week ago, he was shanghaied in Baltimore, while he was drunk, and when he next remembered, he was in Chesapeake Bay on board the "Daniel," with three other men who had been his companions in Baltimore. He had only a thin suit of clothes, no overcoat, no gloves, and only a worn pair of shoes. He asserts that Captain Justice promised the men oilskins, gloves and boots, but the promise ended the matter.

Cunningham and his fellow sufferers were put in the forepeak which was a dark hole about two feet high and seven feet long, and here sleeping in some two inches of water without bed clothing, with a broken stove that failed to give out heat, as the only article of furniture.

(Continued on Third Page.)

THE WEATHER

Forecast: Virginia—Fair, decidedly colder Thursday; cold wave in north and western portions; Friday, fair; not so cold in interior; brisk to high northwest winds, diminishing Friday afternoon.
North Carolina—Partly cloudy; much colder Thursday; brisk, possibly high, northwest wind; Friday, fair, not so cold in western portion.

Conditions Yesterday.

Richmond's weather was fair and warm. Range of the thermometer.....62
9 A. M.....52 6 P. M.....62
12 M.....52 9 P. M.....62
3 P. M.....57 12 midnight.....57

Highest temperature yesterday.....69

Lowest temperature yesterday.....34
Mean temperature yesterday.....54
Normal temperature yesterday.....54
Departure from normal temperature.....15

Thermometer This Day Last Year

9 A. M.....42 6 P. M.....59
12 M.....19 9 P. M.....38
3 P. M.....24 12 midnight.....28
(Average.....23 1-2.)

Condition. in Important Cities.

(At 3 P. M., Eastern Time.)

Place. Weather.

Asheville, N. C.....34 Clear

Augusta, Ga.....38 Clear

Baltimore, Md.....42 Clear

Buffalo, N. Y.....46 Clear

Charleston, S. C.....42 Clear

Chicago, Ill.....42 Clear

Cincinnati, O.....38 Clear

Cleveland, O.....38 Clear

Davenport, Ia.....42 Clear

Des Moines, Ia.....42 Clear

Hartford, Conn.....42 Clear

Indianapolis, Ind.....42 Clear

Kansas City, Mo.....42 Clear

Memphis, Tenn.....42 Clear

Norfolk, Va.....42 Clear

Philadelphia, Pa.....42 Clear

Pittsburg, Pa.....42 Clear

Savannah, Ga.....42 Clear

St. Louis, Mo.....42 Clear

Washington, D. C.....42 Clear

Wilmington, Del.....42 Clear

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However this may be, the session, executive or otherwise, that passes upon the resolution will be lively beyond any question. Objection to removing the ban of secrecy at this stage of the proceedings will be very pronounced on several grounds, the chief of which will be that it would not be fair and just to the side already heard and closed to have only the other side yet to come to be exploited before the public.

On the other hand the friends of Mr. Clowes and the others in favor on principle of open session generally, will lead a fight for the resolution and will compromise on nothing. In reference to the objection indicated they point out that the ban is expressly removed also from the evidence already taken and that this evidence can be published in full without more ado. Strong emphasis will be laid by these gentlemen, upon the injustice being done, Mr. Clowes by the vague and mysterious hints going abroad, and a demand will be made that something be done to relieve this intolerable situation. In addition to the sharp fight over the resolution there may be some interesting revelations as to the investigation itself when the matter is taken up to-day. The advocates of the resolution will be further upheld by the attitude of the members of the investigating committee, who will be in favor of open sessions.

Incident in Senate.

There were things doing very promptly yesterday in legislative circles, after the publication of the case in passing upon the friends of Mr. Clowes, over the sudden adjournment of the committee Monday night, while the Richmonder was still testifying, and generally over the

(Continued on Fourth Page.)

VIRGINIAN ACQUITTED OF BRIBING AN OFFICER

Charles Blanton, of East Falls
Church, Was Charged With
Defrauding Government.

(Special to The Times-Dispatch.)
JOPLIN, MO., February 14.—Charles Blanton, of East Falls Church, Va., special agent of the Treasury Department, who has been on trial before Judge Reed, in the United States District Court here since February 6, charged with conspiring to bribe a government officer, was acquitted to-day by the jury on order of the court.

Judge Reed spent thirty-five minutes reviewing the case in passing upon a motion of the defense, to throw the case out of court. He held that the government had failed to show Blanton's connection with any conspiracy.

Blanton and his cousin, Dr. J. B. Vernon, were indicted jointly, charged with conspiring to defraud the government in the selection of postoffice sites.

INVOKE AID OF HIGH AUTHORITY

Corporation Commission
Seeks Co-operation
of United States.

STRONG LETTER TO THE PRESIDENT

Asked to Direct Department of
Justice to Enforce Laws As to
Railroad Combinations,
and Commission to
Make Investi-
gations.

The State Corporation Commission seems determined if possible to give the people relief in connection with railroad rates, and the body has taken steps which may invoke important aid from the United States government.

The commission has forwarded letters to President Roosevelt and the Interstate Commerce Commission on the subject, asking the latter to bring the matter of the alleged control of certain railroads in Virginia by the Pennsylvania line to the attention of the Department of Justice, and requesting a thorough investigation into the question of violations of the interstate commerce laws by the United States commission.

The commission has not generally known up to last night that the letters had been sent out, although they were forwarded Tuesday. When the matter leaked out the members of the commission were approached and finally agreed to give them out for publication.

The communications set out that it is freely charged that the Chesapeake and Ohio and Norfolk and Western and Baltimore and Ohio Railroads are controlled by the Pennsylvania system, and that the bituminous coal trade is monopolized by reason of this alleged control. It is claimed in the letters that if these charges be true, an act of Congress entitled "an act to protect trade and commerce against unlawful restraints and monopolies" is being violated, and these high authorities are asked to see that the law is enforced.

To the President.

The letter to the President is as follows:

Commonwealth of Virginia.

Department of the State Corporation Commission.

Richmond, Va., February 14, 1906.

To His Excellency, The President of the United States, Washington, District of Columbia.

The State Corporation Commission, created by the Constitution of the State of Virginia, and by the laws of the State, has the honor to acknowledge the receipt of your letter of the 10th inst., and in reply to inform you that the Commission is at present engaged in a study of the bituminous coal trade in this State, and is endeavoring to ascertain the facts in relation to the alleged control of certain railroads in Virginia by the Pennsylvania line, and the alleged monopolization of the bituminous coal trade by reason of this alleged control.

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